



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EMN:CMP
F. #2011R01474

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 6, 2014

By Hand and ECF

The Honorable Allyne R. Ross
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Eugene Gourevitch, 12 CR 758 (S-1) (ARR)

Dear Judge Ross:

The government respectfully submits this letter in connection with the sentencing of the defendant Eugene Gourevitch, which is scheduled for June 10, 2014 at 11:00 am. On February 18, 2014, the defendant pled guilty to Count Three of the above-referenced superseding information (the "Information"), charging wire fraud in violation of 18 U.S.C. § 1343. The government respectfully submits this letter to address the defendant's offense conduct and the appropriate Guidelines calculation. The government addresses additional factors for the Court's consideration at sentencing in a separate letter submitted under seal with the consent of counsel.

A. Factual Background

As set forth in the Presentence Investigation Report ("PSR") dated April 28, 2014 the investigation into Gourevitch began in February 2010, when the Italian government requested that U.S. authorities arrest Gourevitch, who is a U.S. citizen, pursuant to a provisional arrest request based on charges of tax fraud and other crimes in Italy. Upon attempting to execute the provisional arrest warrant at Gourevitch's last known address the United States, however, the government learned that he was not residing in the United States at the time.

In December 2011, Gourevitch returned to the United States and agreed to be interviewed by the government. In the course of those interviews, he admitted that he engaged in an insider trading conspiracy to invest in U.S. and foreign publicly-traded stocks using material nonpublic information, such as information about upcoming mergers and quarterly earnings reports.

